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March 1, 1999

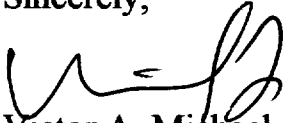
Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Mettler, California.

Sincerely,



Victor A. Michael Jr.

President

Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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MAR - 3 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of:)

Amendment of Section 73.202 (b))

Table of Allotments)

FM Broadcast Stations)

(Mettler, California))

RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 255A (98.9 Mhz) to Mettler, California as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 255A (98.9 Mhz) to Mettler and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 255A to Mettler will have.

DISCUSSION

2. Mettler is located in Southern California. It is also located within Kern County, a county of some 543,477 persons. Mettler has a population of 200 persons in accordance with the 1999 Rand McNally Road Map, which is based on 1990 census data.

3. The allotment of channel 255A to Mettler will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Mettler is located at Tehachapi, California. Tehachapi is located 37 kilometers from Mettler. Mettler, while not incorporated, has many retail businesses as it is located just off the congested highway 99 and Interstate 5 which leads to Bakersfield, California. Mettler has also seen growth and is estimated to have a population of over 250 persons. It has a several businesses, and civic organizations.

4. Mettler would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 37 Kilometers of Mettler. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Mettler area of emergency conditions caused by severe weather or other health hazards. It is obvious from the above spacing, that Mettler is presently without local FM service.

5. Channel 255A can be allotted to Mettler and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

| | <u>Present</u> | <u>Proposed</u> |
|---------------------|----------------|-----------------|
| Mettler, California | ----- | 255A |

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 255A and the pertinent adjacent channels to 255A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 35 - 01' - 40", W. 118 - 56' - 57") are that of a site located 4.4 kilometers south of the community of Mettler. A site restriction of 4.4 kilometers south will be required to allot channel 255A to Mettler. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Mettler. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Mettler would benefit from the allotment of channel 255A. It has also been shown that channel 255A can be allotted to Mettler and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 255A for Mettler, California, 73.202.

8. Should channel 255A be allotted to Mettler, I certify that I will file an application for a Construction Permit to operate an FM station for Mettler, California.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 1, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 255A6 (98.9 MHz), at N. 35 1 40, W. 118 56 57.

Searching Channel 255A6 (98.9 MHz):

| CALL | CITY | ST | CHN | CL | S | DIST | SEPN | BRNG | CLEARANCE |
|--------|---------------|----|-----|----|---|-------|-------|--------|-----------|
| ALC | Moorpark | CA | 201 | B1 | V | 82.6 | 12.0 | 175.7° | 70.6 |
| KCRI | Mojave | CA | 201 | B1 | C | 68.5 | 12.0 | 81.2° | 56.5 |
| KAXL | Greenacres | CA | 202 | B1 | L | 50.2 | 12.0 | 328.9° | 38.2 |
| KCLU | Thousand Oaks | CA | 202 | A | L | 89.8 | 10.0 | 179.8° | 79.8 |
| ALC | Oxnard | CA | 252 | B1 | U | 83.1 | 48.0 | 205.0° | 35.1 |
| KDAR | Oxnard | CA | 252 | B1 | L | 83.1 | 48.0 | 205.0° | 35.1 |
| ALC | Delano | CA | 253 | B | U | 77.4 | 69.0 | 10.8° | 8.4 |
| KSMJ | Delano | CA | 253 | B | L | 77.4 | 69.0 | 10.8° | 8.4 |
| KSMJ | Delano | CA | 253 | B1 | C | 55.0 | 48.0 | 349.3° | 7.0 |
| ALC | Los Angeles | CA | 254 | B | U | 113.1 | 113.0 | 153.1° | 0.0 |
| KYSR | Los Angeles | CA | 254 | B | L | 113.1 | 113.0 | 153.1° | 0.0 |
| ALC | Dinuba | CA | 255 | B | U | 178.6 | 178.0 | 0.2° | 0.6 |
| KSOB | Dinuba | CA | 255 | B | L | 178.6 | 178.0 | 0.2° | 0.6 |
| ALC | Riverside | CA | 256 | B | U | 192.7 | 113.0 | 127.7° | 79.7 |
| ALC | Santa Maria | CA | 256 | B | U | 113.7 | 113.0 | 263.4° | 0.7 |
| KGGI | Riverside | CA | 256 | B | L | 187.8 | 113.0 | 117.9° | 74.8 |
| KXFM | Santa Maria | CA | 256 | B | L | 113.7 | 113.0 | 263.4° | 0.7 |
| ALC | Bakersfield | CA | 257 | B1 | U | 55.4 | 48.0 | 26.6° | 7.4 |
| KKBB | Bakersfield | CA | 257 | B1 | L | 49.4 | 48.0 | 22.8° | 1.4 |
| ALC | Los Angeles | CA | 258 | B | U | 118.1 | 69.0 | 144.2° | 49.1 |
| KKLAFM | Los Angeles | CA | 258 | B | L | 120.7 | 69.0 | 137.6° | 51.7 |

FIGURE 1
METTLER, CALIFORNIA
MOUNTAIN WEST BROADCASTING